



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Alfonso FUENTES Jr.,

Defendant.

} Magistrate Case No.: **'08 MJ 8314**

} COMPLAINT FOR VIOLATION OF

} 21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 8, 2008, within the Southern District of California, defendant Alfonso FUENTES Jr did knowingly and intentionally import approximately 47.16 kilograms (103.75 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9TH,  
DAY OF April 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2 v.  
3 Alfonso FUENTES Jr

4 STATEMENT OF FACTS  
5  
6

7 This statement of facts is based on the reports, documents, and notes furnished  
8 to US Immigration and Customs Enforcement Special Agent Reuben McDowell.  
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10 On April 8, 2008, at approximately 0005 hours, Alfonso FUENTES Jr  
11 entered the United States at the Calexico, California, West Port of Entry. Customs and  
12 Border Officer (CBPO) S. German was manning primary. CBPO German immediately  
13 noticed that FUENTES hands were trembling as he handed CBPO German his California  
14 driver's license and birth certificate. CBPO German asked FUENTES if he was the  
15 registered owner and FUENTES said yes. CBPO German received a negative oral  
16 Customs declaration from FUENTES. CBPO Lopez referred the vehicle to the  
17 secondary inspection area.

18 CBPO J. Tubbs received the vehicle in the secondary inspection area. CBPO  
19 Tubbs received a negative Customs declaration from FUENTES. FUENTES stated that  
20 the vehicle was his. CBPO Tubbs requested CEO S. Leon screen the vehicle with his  
21 narcotic detector dog (NDD). The NDD alerted to the front fenders.

22 A subsequent inspection by CBPO Tubbs revealed 45 packages located in the  
23 front fenders of the vehicle. One of the packages was probed and a sample of a green  
24 leafy substance was obtained, which field tested positive for marijuana. The 45  
25 packages had a combined net weight of approximately 47.16 kilograms (103.75  
26 pounds).

27 FUENTES was placed under arrest and advised of his Constitutional Rights  
28 according to Miranda, which he acknowledged and waived, agreeing to answer  
29 questions. FUENTES admitted knowledge of the marijuana found in the vehicle.